

Message Text

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ORIGIN EA-06

INFO OCT-01 SS-14 ISO-00 ORM-01 SR-02 NSC-05 NSCE-00 L-01

PRS-01 VO-01 SCA-01 INR-05 CIAE-00 DODE-00 SY-02 /040 R

DRAFTED BY EA/PHL:ASWIFT:JAK

APPROVED BY EA/PHL:BAFLECK

ORM:CPAPPAS (DRAFT)

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R 062002Z JUN 75

FM SECSTATE WASHDC

TO AMEMBASSY MANILA

C O N F I D E N T I A L STATE 132632

LIMDIS

E.O. 11652: GDS

TAGS: SREF, RP, PINT

SUBJECT: ASYLUM REQUEST BY PRIMITIVO MIJARES

1. DEPARTMENT HAS RECEIVED FORMAL REQUEST FROM PRIMITIVO MIJARES THROUGH INS FOR ASYLUM IN US.
2. DEPARTMENT PLANS TO REPLY TO INS THAT QTE IT IS POSSIBLE THAT MIJARES DENOUNCEMENT OF THE GOVERNMENT OF THE PHILIPPINES MIGHT CAUSE HIM PROBLEMS IF HE RETURNS TO THAT COUNTRY, ALTHOUGH WE ARE UNABLE TO DETERMINE WHETHER THESE PROBLEMS COULD BE CLASSIFIED AS PERSECUTION. HOWEVER, THE CONVENTION RELATING TO THE STATUS OF REFUGEES DEFINES A REFUGEE AS A PERSON OUTSIDE HIS COUNTRY OF NATIONALITY WHO IS UNABLE OR UNWILLING TO RETURN THERETO OWING TO A WELL-FOUNDED FEAR OF PERSECUTION BECAUSE OF RACE, RELIGION, NATIONALITY, POLITICAL OPINION OR MEMBERSHIP IN A PARTICULAR SOCIAL GROUP. THE KEY WORDS ARE "WELL-FOUNDED". AS A RESULT WE BELIEVE WE MUST RECOMMEND THAT MR. MIJARES NOT BE FORCIBLY RETURNED TO THE PHILIPPINES AT THIS TIME. END QTE.
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3. WE ASSUME INS WILL THEN ISSUE MIJARES VOLUNTARY DEPARTURE STATUS AND REFER CASE BACK TO DEPARTMENT AT A LATER DATE. HOWEVER, INS DOES HAVE AUTHORITY TO GRANT ASYLUM ON THEIR OWN INITIATIVE.

4. DEPARTMENT DOES NOT INTEND TO DISCUSS MIJARES CASE WITH PHILIPPINE GOVERNMENT AND EMBASSY SHOULD ALSO AVOID ISSUE.

5. WE RECOGNIZE UNSAVORY ASPECTS OF MIJARES PAST. HOWEVER, DOCUMENTS WHICH HAVE BEEN SUBMITTED ARE COMPLETELY FACTUAL AND ON THE SURFACE SEEM TO ESTABLISH A WELL-FOUNDED FEAR. THIS IS EXTREMELY DIFFICULT CASE TO HANDLE AND WE HAVE ATTEMPTED TO CAREFULLY PHRASE WORDING OF OUR REPLY. KISSINGER

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<< END OF DOCUMENT >>

Message Attributes

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Concepts: POLITICAL ASYLUM
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Draft Date: 06 JUN 1975
Decaption Date: 28 MAY 2004
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: greeneet
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Drafter: EA/PHL:ASWIFT:JAK
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